

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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WILLIE SUMPTER,

Plaintiff,

v.

05-cv-868

D. SKIFF, Counselor, Gouverneur Correctional  
Facility, and GLENN S. GOORD, Commissioner,

Defendants.  
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THOMAS J. McAVOY  
United States District Judge

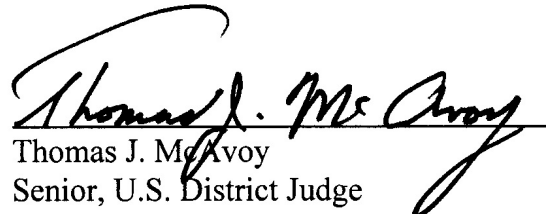
**DECISION and ORDER**

This matter brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. David E. Peebles, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

No objections to the August 29, 2008 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein and DISMISSES Plaintiff's claim in its entirety.

IT IS SO ORDERED.

Dated: September 30, 2008

  
Thomas J. McAvoy  
Senior, U.S. District Judge